

Stephen D. Finestone (125675)
Jennifer C. Hayes (197252)
Ryan A. Witthans (301432)
FINESTONE HAYES LLP
456 Montgomery Street, 20th Floor
San Francisco, California 94104
Telephone: (415) 616-0466
Facsimile: (415) 398-2820
sfinestone@fhlawllp.com
jhayes@fhlawllp.com
rwitthans@fhlawllp.com

Attorneys for Creditor,
Roebbelen Contracting, Inc.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re
PG&E CORPORATION,
Debtor-in-Possession.

Case No. 19-30088-DM
Chapter 11
Hon. Dennis Montali

In re
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtor-in-Possession.

Case No. 19-30089-DM
Chapter 11
Hon. Dennis Montali

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas & Electric Company
☐ Affects both Debtors

**ROEBBELEN CONTRACTING, INC.'S
AMENDED NOTICE OF CONTINUED
PERFECTION OF MECHANIC'S LIEN
PURSUANT TO 11 U.S.C. § 546(b)(2)¹**

Roebbelen Contracting, Inc. ("Roebbelen") hereby files its Amended Notice of Continued Perfection of Mechanic's Lien Pursuant to 11 U.S.C. § 546(b)(2) (the "Notice") and in support thereof states as follows:

¹ This filing amends Roebbelen Contracting, Inc.'s Notice of Continued Perfection of Mechanic's Lien Pursuant to 11 U.S.C. § 546(b)(2), filed on May 6, 2019, at Dkt. #1853. This amended filing includes a signed copy of the attached lien document.

1 On January 29, 2019 (the “Petition Date”), the above-captioned debtors (the “Debtors”)
2 filed voluntary Chapter 11 bankruptcy petitions.

3 As of the Petition Date, Roebbelen had approximately 80 projects under construction in
4 support of the Debtors’ strategic initiatives of safety, reliability, affordability, and consumer focus.
5 The improvements performed by Roebbelen are designed to result in quicker response times,
6 improved vehicle maintenance, better logistics for replacement materials, hazardous materials
7 storage, and improvements to dispatch conference centers, including solutions for mapping,
8 tracking outages, and safety trainings. Roebbelen’s work also relates to a security program for
9 these same facilities, which Roebbelen is informed and believes have been identified by the
10 Department of Homeland Security as known targets, including upgrading their fencing and security
11 systems to meet improved security standards.

12 Before and after the Petition Date, Roebbelen has provided labor, services, equipment, and
13 materials for works of improvement owned by Pacific Gas & Electric Company located in El
14 Dorado County, California (among others). Roebbelen has lien rights related to these works of
15 improvement (the “Lien”). *See* Cal. Civ. Code § 8050(a) (defining works of improvement).

16 Through May 3, 2019, the amount owing to Roebbelen on account of the Lien is at least
17 \$16,376.36, not including interest and other charges.

18 Roebbelen properly perfected the Lien pursuant to California Civil Code §§ 8400 *et. seq.*
19 by timely recording it in the above-named county. *See* Cal. Civ. Code § 8412 (establishing
20 deadlines for contractor to record lien claims). An authentic copy of the Lien is attached to this
21 Notice as **Exhibit A**.²

22 Pursuant to California Civil Code § 8460, an action to enforce a lien must be filed within
23 90 days after recordation of the lien. The automatic stay imposed by 11 U.S.C. § 362(a) precludes
24 Roebbelen from filing an action to enforce its mechanic’s liens. When applicable law requires
25 commencement of an action to perfect, maintain, or continue the perfection of an interest in
26 property, and the action was not filed prior to the bankruptcy petition date, then the claimant must

27 ² To the extent that there is a discrepancy as to any of the information contained within this
28 Notice, the attached recorded lien documents shall control. Roebbelen reserves the right to
modify the Lien, such as to increase or decrease the amount.

1 instead give notice within the time fixed by law for filing the action. 11 U.S.C. § 546(b); *Village*
2 *Nurseries v. Gould (In re Baldwin Builders)*, 232 B.R. 406, 410–15 (9th Cir. BAP 1999); *see Village*
3 *Nurseries v. Greenbaum*, 101 Cal. App. 4th 26 (2002).

4 Roebbelen hereby provides notice of its rights as a perfected lienholder pursuant to
5 California's mechanic's lien law as to the Lien. To comply with all applicable law, including
6 California state law and bankruptcy law, 11 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), Roebbelen
7 is filing and serving this Notice to preserve, perfect, maintain, and continue the perfection of its
8 Lien and its lien rights in the properties identified therein. This Notice constitutes the legal
9 equivalent of having commenced an action to foreclose the Lien in the proper court. Roebbelen
10 intends to enforce its lien rights to the fullest extent permitted by law. The interests perfected,
11 maintained, and/or continued by the Lien extend to the proceeds, products, rents, and profits of the
12 liened properties.

13 Roebbelen reserves all rights, including the right to amend or supplement this Notice.

14 Dated: May 3, 2019

FINESTONE HAYES LLP

16 By: Jennifer C. Hayes
17 Jennifer C. Hayes
18 Attorneys for Creditor
Roebbelen Contracting, Inc.